Amendment after Appeal Decision dated March 14, 2008 Responsive to Decision dated January 15, 2008

03/31/2008

OK TO ENTER: /GC/

Amendments to the Claims:

The following Listing of Claims replaces all prior versions and listings of the claims in

this application.

Listing of the Claims:

1.-42. (Cancelled).

43. (Currently Amended) The method according to claim 42 47, wherein immobilization

of a biospecific affinity reactant by covalent binding is to the hydrophilic groups on the Capturer

particles.

44. (Currently Amended) The method according to claim 42 47, wherein a mixture of

biospecific affinity reactants is immobilized to the hydrophilic groups on the Capturer particles.

45. (Currently Amended) The method according to claim 42 47, wherein a mixture of

biospecific affinity reactants found in allergen extracts is immobilized to the hydrophilic groups

on the Capturer particles.

46. (Currently Amended) The method according to claim 42 47, wherein a mixture of

biospecific affinity reactants found in biological material used to detect autoantibodies is

immobilized to the hydrophilic groups on the Capturer particles.

2

47. (Currently Amended) The method according to claim 42 A method for detecting an
analyte in a sample in a flow matrix by use of biospecific affinity reaction, which method
comprises:
i. allowing an analytically detectable reactant (Reactant*) and a sample comprising
the analyte to migrate through flow channels in a flow matrix to a detection zone (DZ) located in
the matrix, in which there is a firmly anchored biospecific affinity reactant (Capturer), and
ii. capturing the Reactant* in the DZ in an amount related to the amount of analyte
in the sample,
<u>wherein</u>
A) the Reactant* has labeled particles as an analytically detectable group, and
B) the Capturer is anchored to the matrix by immobilized particles which
exhibit hydrophilic groups on their surface, wherein the hydrophilic groups are hydroxy,
carboxy, amino or sulphonate groups and wherein the particles anchoring the Capturer have a
diameter smaller than a smallest inner dimension of the flow channels of the flow matrix and do
not interfere with detection of Reactant* in the detection zone.
48. (Currently Amended) The method according to claim 42 47, wherein the analyte is
an antibody of IgE or IgG type with specificity to allergens.
49. (Currently Amended) The method according to claim 42 47, wherein the analyte is

an antibody of IgG, IgM or IgA type with specificity to autoantigens.

- 50. (Currently Amended) The method according to claim $42 \, \underline{47}$, wherein the particles anchoring the Capturer have a size in the range of 0.1-100 μ m and the flow channels of the matrix have a smallest inner dimension in the range of 0.4-100 μ m.
- 51. (Currently Amended) The method according to claim $42 \underline{47}$, wherein the particles which anchor the Capturer have a size in the range of 0.1-1000 μ m.
- 52. (Currently Amended) The method according to claim $42 \underline{47}$, wherein the particles which anchor the Capturer have a size in the range of 0.1-100 μ m.
- 53. (Currently Amended) The method according to claim $42 \underline{47}$, wherein the labeled particles in the Reactant* have a diameter in the range of 0.01-5 μm .
- 54. (Currently Amended) The method according to claim $42 \frac{47}{47}$, wherein the flow channels have a smallest inner diameter in the range of 0.4-1000 μ m.
- 55. (Currently Amended) The method according to claim $42 \, \underline{47}$, wherein the flow channels have a smallest inner dimension in the range of 0.4-100 μ m.
- 56. (Currently Amended) The method according to claim 42 <u>47</u>, wherein the labeled particles are fluorescent or coloured.

57. (Currently Amended) The method according to claim 42 47, wherein the Reactant*

is predeposited in the matrix upstream of the DZ.

58. (Previously Presented) The method according to claim 57, wherein the Reactant* is

predeposited in the matrix upstream of a sample application site.

59. (Currently Amended) The method according to claim 42 47, wherein the particles

which anchor the Capturer to the matrix are a synthetic polymer, a semisynthetic polymer or a

biopolymer, which on its surface exhibits hydrophilic groups.

60. (Currently Amended) The method according to claim 42 47, wherein the Reactant*

is captured in the DZ by formation of a ternary complex of Reactant'-analyte-Reactant*, wherein

the Reactant* binds to the analyte simultaneously or in sequence and Reactant' is the firmly

anchored Capturer or a reactant to which the Capturer binds by biospecific affinity.

61. (Previously Presented) The method according to claim 60, wherein the analyte is an

antigen and the Reactant' and Reactant* are antibodies with specificity for epitopes on the

analyte.

62. (Currently Amended) The method according to claim 42 47, wherein the method is

performed in connection with diagnosing allergy or autoimmune disease.

63. (Cancelled).

5

- 64. (Currently Amended) The kit according to claim 63 68, wherein immobilization of a biospecific affinity reactant by covalent binding is to the hydrophilic groups on the Capturer particles.
- 65. (Currently Amended) The kit according to claim 63 68, wherein immobilization of a complex mixture of biospecific affinity reactants is to the hydrophilic groups on the Capturer particles.
- 66. (Currently Amended) The kit according to claim 63 68, wherein immobilization of a complex mixture of biospecific affinity reactants found in allergen extracts is to the hydrophilic groups on the Capturer particles.
- 67. (Currently Amended) The kit according to claim 63 68, wherein immobilization of a complex mixture of biospecific affinity reactants found in biological material used to detect autoantibodies is to the hydrophilic groups on the Capturer particles.
- 68. (Currently Amended) The kit according to claim 63 A test kit for performing analytical methods in a flow matrix, which methods utilize biospecific affinity reactions to detect an analyte in a sample, which kit comprises (i) a flow matrix having a detection zone (DZ), in which there is a firmly anchored biospecific affinity reactant (Capturer), and (ii) and analytically detectable reactant (Reactant*),

wherein

- A) the Reactant* has labeled particles as an analytically detectable group, and
- B) the Capturer is anchored to the matrix by immobilized particles which exhibit hydrophilic groups on their surface, wherein the hydrophilic groups are hydroxy, carboxy, amino or sulphonate groups and wherein the particles anchoring the Capturer have a diameter smaller than a smallest inner dimension of the flow channels and do not interfere with detection of Reactant* in the detection zone.
- 69. (Currently Amended) The kit according to claim 63 68, wherein the analyte is an antibody of IgE or IgG type with specificity to allergens.
- 70. (Currently Amended) The kit according to claim 63 68, wherein the analyte is an antibody of IgG, IgM or IgA type with specificity to autoantigens.
- 71. (Currently Amended) The kit according to claim 63 68, wherein the particles anchoring the Capturer have a size in the range of 0.1-100 μ m and the flow channels of the matrix have a smallest inner dimension in the range of 0.4-100 μ m.
- 72. (Currently Amended) The kit according to claim 63 68, wherein the particles which anchor the Capturer have a size in the range of 0.1-1000 μ m.
- 73. (Currently Amended) The kit according to claim $63 \underline{68}$, wherein the particles which anchor the Capturer have a size in the range of 0.1-100 μm .

- 74. (Currently Amended) The kit according to claim 63 68, wherein the labeled particles in the Reactant* have a diameter in the range of 0.01-5 μ m.
- 75. (Currently Amended) The kit according to claim 63 68, wherein the flow channels have a smallest inner dimension in the range of 0.4-1000 μ m.
- 76. (Currently Amended) The kit according to claim 63 68, wherein the flow channels have a smallest inner dimension in the range of 0.4-100 μ m.
- 77. (Currently Amended) The kit according to claim 63 68, wherein the labeled particles are fluorescent or coloured.
- 78. (Currently Amended) The kit according to claim 63 68, wherein the Reactant* is predeposited in the matrix upstream of the DZ.
- 79. (Previously Presented) The kit according to claim 78, wherein the Reactant* is predeposited in the matrix upstream of a sample application site.
- 80. (Currently Amended) The kit according to claim 63 68, wherein the particles which anchor the Capturer to the matrix are a synthetic polymer, a semisynthetic polymer or a biopolymer, which on its surface exhibits hydrophilic groups.

81. (Currently Amended) The kit according to claim 63 68, wherein the Reactant* is

captured in the DZ by formation of a ternary complex of Reactant'-analyte-Reactant*, wherein

the Reactant* binds to the analyte simultaneously or in sequence and Reactant' is the firmly

anchored Capturer or a reactant to which the Capturer is capable of binding by biospecific

affinity.

82. (Previously Presented) The kit according to claim 81, wherein the analyte is an

antigen and the Reactant' and Reactant* are antibodies with a specificity for epitopes on the

analyte.

83. (Currently Amended) The kit according to claim 63 68, wherein the method is

performed in connection with diagnosing allergy or autoimmune disease.

9